

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 3, 2022

Lyle W. Cayce
Clerk

No. 22-40236

JAMON HESTAND,

Plaintiff—Appellant,

versus

OFFICE OF THE INSPECTOR GENERAL; OFFICER CURTIS D.
BITZ; OFFICER CANDACE STEVICK; OIG OFFICERS UNKNOWN
PERSON; INVESTIGATOR I-0964 UNKNOWN PERSON,

Defendants—Appellees.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:22-CV-6

Before CLEMENT, SOUTHWICK, and HIGGINSON, *Circuit Judges.*

PER CURIAM:

This court must examine the basis of its jurisdiction, on its own motion if necessary. *Hill v. City of Seven Points*, 230 F.3d 167, 169 (5th Cir. 2000). In this 42 U.S.C. § 1983 civil rights case, Plaintiff has filed *pro se* notices of appeal from district court orders denying as premature motions for service and appointment of counsel and ordering amendment of the complaint.



Certified as a true copy and issued
as the mandate on Oct 25, 2022

Attest: *Lyle W. Cayce*
Clerk, U.S. Court of Appeals, Fifth Circuit

No. 22-40236

“Federal appellate courts have jurisdiction over appeals only from (1) a final decision under 28 U.S.C. § 1291; (2) a decision that is deemed final due to jurisprudential exception or that has been properly certified as final pursuant to FED. R. CIV. P. 54(b); and (3) interlocutory orders that fall into specific classes, 28 U.S.C. § 1292(a), or that have been properly certified for appeal by the district court, 28 U.S.C. § 1292(b).” *Askanase v. Livingwell, Inc.*, 981 F.2d 807, 809-10 (5th Cir. 1993). The district court’s order denying a motion for service as premature is not a final or otherwise appealable order. The same is true for the order denying appointment of counsel. *See Williams v. Catoe*, 946 F.3d 278, 279 (5th Cir. 2020) (en banc). Likewise, the order requiring amendment of the complaint is not a final judgment or otherwise appealable order. *See Wallace v. County of Comal*, 400 F.3d 284, 291 (5th Cir. 2005).

Accordingly, the appeal is DISMISSED for want of jurisdiction. All pending motions are DENIED.